



Arizona Medical Board

1740 W. Adams St., Suite 4000 • Phoenix, Arizona 85007

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FINAL MINUTES FOR REGULAR SESSION MEETING **Held on Friday, December 13, 2024** **1740 W. Adams St., Board Room A • Phoenix, Arizona**

Board Members

Gary R. Figge, M.D., Chair
Bruce A. Bethancourt, M.D., F.A.C.P., Vice-Chair
Lois E. Krahn, M.D., Secretary
Katie S. Artz, M.D., M.S.
Jodi A. Bain, M.A., J.D., LL.M.
David C. Beyer, M.D., F.A.C.R., F.A.S.T.R.O.
Laura Dorrell, M.S.N., R.N.
R. Screven Farmer, M.D.
James M. Gillard, M.D., M.S., F.A.C.E.P., F.A.A.E.M.
Gail Guerrero-Tucker, M.D., M.P.H., F.A.A.F.P., D.A.B.F.M.
Pamela E. Jones

GENERAL BUSINESS

A. CALL TO ORDER

Chair Figge called the meeting to order at: 8:07 a.m.

B. ROLL CALL

The following Board members were present: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones.

The following Board members were absent: Dr. Bethancourt.

ALSO PRESENT

The following Board staff participated in the meeting: Patricia McSorley, Executive Director; Raquel Rivera, Deputy Director; Claude Deschamps, M.D., Chief Medical Consultant; Nicole Samaradellis, Investigations Manager; and Michelle Robles, Board Operations Manager. Carrie Smith, Assistant Attorney General ("AAG") also participated in the meeting.

C. PUBLIC STATEMENTS REGARDING MATTERS LISTED ON THE AGENDA

Individuals who addressed the Board during the Public Statements portion of the meeting appear beneath the case.

D. EXECUTIVE DIRECTOR'S REPORT

- Review, Discussion and Possible Action Regarding Proposed Legislation Impacting Publication of Advisory Letters

Ms. McSorley informed the Board that there are two bills that will be introduced at the new legislative session. It looks like the intent of the bill is to have advisory letters for no more than 25 years on the Board's website. They are not currently on the Board's website, but this would change that.

Dr. Figge noted that CME orders are currently on the website. Dr. Gillard commented that the advisory letter is used for tracking and when you put it on the website it becomes

disciplinary and is devastating for the physician and may affect credentialing. Dr. Artz agreed that it makes them disciplinary and will dictate how the Board moves forward. Dr. Krahn stated that she does not support this effort and views advisory letters as a tool to educate physicians. Dr. Krahn further recognized that changing the name of letters would require a statute change. Dr. Farmer commented that advisory letters serve two separate purposes. One is when they just fall short of clear and convincing evidence and the second is that they serve as a warning. Ms. Jones agreed that if it is just a handwriting issue then the public does not need to know but if it is a serious issue the public should know. Ms. Jones stated that she does not speak in favor of having it on the website for 25 years but speaks in favor of having it on the website for the public to know. Dr. Figge noted that they are already available to the public upon request via the phone or written request. Dr. Beyer agreed with transparency but noted that many of these of advisory letters are not for things important enough to be on the website and can be misinterpreted. Dr. Beyer opined that when speaking to the legislature it should be explained that an advisory letter serves multiple purposes and that 25 years is excessive. Dr. Beyer noted that it is important that the Board educates physicians to fix problems before they become serious. Dr. Beyer inquired about the language that complaints be on the website.

Ms. McSorley commented that the language is murky since there is a statute that says complaints are confidential.

Dr. Beyer opined that the Board receives complaints from various sources and that they should remain confidential until the Board makes a decision. Dr. Guerrero-Tucker commented that this is a matter of keeping the Board's website pristine and what is published should be real, validated and need to know. Ms. Bain inquired if the Board can institute a mechanism to issue something other than an advisory letter for tracking and to help a physician be a better physician without a statutory change.

Ms. Smith explained that the Board's options for what action they can take is set by statute. Ms. Smith confirmed that the Board can make an additional path for case resolution, but it would require a statutory change.

Ms. McSorley noted that this bill addresses all health regulatory boards but the legislature does not understand that there are nuances to each board and that there needs to be an understanding of the individual board and not a lumping of all boards.

Dr. Gillard noted that they need to look at mitigating circumstances.

MOTION: Dr. Gillard moved to request that the legislature propose an alternative to an Advisory Letter for educational purposes for matters that do not rise to the level of Board sanction or where education is the primary purpose. Dr. Gillard further moved that the proposed legislation should not be ratified as it would be punitive to physicians and authorized the ED to speak on the Board's behalf in this matter.

SECOND: Dr. Krahn.

Ms. Jones commented that there is a void of knowledge from the public that they can call and ask the Board about their physicians. Dr. Farmer commented that he is not opposed to transparency but disagrees with the way it is currently written.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones. The following Board member was absent: Dr. Bethancourt.

Ms. Bain abstained.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

- Review, Discussion and Possible Action Regarding Proposed Legislation for Psychologist's Prescribing Authority

Ms. McSorley explained that this bill addresses the psychiatrist's prescribing authority. It's basically a collaboration between a psychiatrist and a physician, the concerning piece is that the Medical Board gets involved if there is a complaint regarding the psychiatrist's prescribing. The psychology board refers the case to the Board and after the Board

makes a determination it is sent to the psychology board to take action on the prescribing psychologist. The question is funding for the review and Ms. McSorley suggested that the Board would bill the psychology board for their time.

Dr. Krahn expressed concern and noted that it highlights four areas that a psychologist cannot function as a prescriber, and it should include controlled substances and polypharmacy. Dr. Gillard commented that physicians, like a psychiatrist, have taken pharmacology, physiology, biochemistry in medical school and a lot of these medications have reactions with other drugs that someone might be on. Dr. Gillard inquired how they would comply with and get a DEA certificate of registration. Dr. Gillard further opined that if you have a physician that is going to be involved with this, it throws a big liability on that physician. Ms. Bain noted that this has a trickle-down effect to unintended things to think about in terms of the mechanism of how folks are regulated. Ms. Bain stated she does not think it prudent to say the Medical Board would or would not do something at this point, depending on what the Medical Board is called upon to do to regulate a mixed licensed concept. Ms. Bain noted that a second issue is that there are new rules that came out in the last couple of years where attorneys can work with non-attorneys for the first time. As long as there's a man in essence, a managing attorney watching a non-attorney or partnering with an attorney and a non-attorney for making money, and that's been very interesting. The process to get the special license for an attorney to work with a non-attorney is very time consuming, and can be very expensive, and it falls to an attorney who's willing to take this on. So, this is a different hybrid format of you're a psychologist, not a allopathic physician, but you want to be able to prescribe something, and the question is what, but I would be very hesitant to say that the Medical Board isn't going to need funding, or at least someone trained on the team at some point to handle specialized cases.

- Update on Policy Regarding Late Submissions to the Board

Ms. McSorley reported that the staff has updated the notice letters and that we will not accept submissions within two business days of the meeting.

E. CHAIR'S REPORT

- This item has been pulled from the agenda.

- Acknowledgement of Service for Ms. Pamela Jones

Dr. Figge acknowledged Ms. Jones for her service to the Board.

- Appointment of New Administrative Joint Legislation and Rules Committee Member

Dr. Figge appointed Dr. Bethancourt to the Committee.

F. LEGAL ADVISOR'S REPORT

No report was given.

G. UPDATE REGARDING THE DECEMBER 4, 2024 ADMINISTRATIVE JOINT LEGISLATION AND RULES COMMITTEE MEETING

Ms. Bain provided an update on the Committee meeting's discussion and reported that there will be another meeting scheduled by the first two weeks of January.

H. DISCUSSION REGARDING DEBRIEFING ON BOARD PROCESSES

Dr. Figge reminded the Board that it will split into Committee meetings after this meeting and that there will be no Committee meetings in February.

I. APPROVAL OF MINUTES

- November 6, 2024 Special Teleconference Meeting, including Executive Session

Dr. Gillard noted a typo regarding Advisory Letter #1 for Dr. Cook.

MOTION: Dr. Gillard moved to approve the November 6, 2024 Special Teleconference meeting, including executive session.

SECOND: Dr. Krahn.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones. The following Board member was absent: Dr. Bethancourt. The following Board member abstained: Ms. Bain.

**VOTE: 9-yay, 0-nay, 1-abstain, 0-recuse, 1-absent.
MOTION PASSED.**

LEGAL MATTERS

J. RESCIND REFERRAL TO FORMAL HEARING AND ACCEPT PROPOSED CONSENT AGREEMENT

1. MD-23-0466A, SCOTT W. SMITH, M.D., LIC. #64679

Dr. Smith was not present. Carrie Smith, AAG was present on behalf of the State. Lynette Evans, AAG was present as the Board Independent Legal Advisor.

Ms. Smith informed the Board that this case was initiated based on a self-report that his DEA registration had been suspended. The basis for the DEA suspension was the agency's determination that Dr. Smith had prescribed over 2,000 controlled substance prescriptions in States where he did not have a current license, and without checking the relevant controlled substance prescription monitoring profiles for patients. Dr. Smith had applied for a temporary COVID-19 license while his license was pending review by Board staff. The Board received his IMLC Registration, and he was issued an Arizona license on August 2, 2021. The DEA order for suspension was issued on May 3, 2023. Based on that the Board investigated. There were 5 patients sent for Medical Consultant (MC) Review. The MC identified multiple deviations from the standard of care with regard to all 5 patients. Board staff recognized that Dr. Smith also prescribed medications to Arizona patients while his temporary license was suspended, and before his IMLC license was granted. Based on the deviations identified and the violations of Board statute Dr. Smith was offered a Surrender of his license. Dr. Smith did not respond in a timely manner, so the matter was forwarded to our office for formal hearing. After the matter was sent for formal hearing, Dr. Smith returned the signed consent agreement for surrender. The State respectfully requested that the Board rescind the referral to formal hearing and accept the signed surrender.

MOTION: Dr. Krahn moved to rescind the referral to formal hearing and accept the signed consent agreement for Surrender of License.

SECOND: Dr. Gillard.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones. The following Board members were absent: Dr. Bethancourt and Dr. Farmer.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

2. MD-23-0731A, EHAB F. ABDALAH, M.D., LIC. #36239

Dr. Abdalah and counsel Mandi Karvis were not present. Elizabeth Campbell, AAG was present on behalf of the State. Lynette Evans, AAG was present as the Board Independent Legal Advisor.

Ms. Campbell informed the Board that Dr. Abdallah had a complaint open based upon some issues with prescribing controlled substances. The matter was reviewed by SIRC which recommended a consent agreement for a Letter of Reprimand to include a two-year probation with CME, chart reviews and a practice restriction; restricting Dr. Abdallah from prescribing controlled substances until he had completed the CME and entered into an agreement with a Board approved monitor for chart reviews. The consent agreement, as recommended by SIRC also included a \$4,000 civil penalty. There was some delay but upon review and consideration, Dr. Abdallah has determined to enter into the consent agreement as proposed by SIRC, and that agreement was attached to the State's motion to accept. The State is requesting that the Board accept the proposed consent agreement.

MOTION: Ms. Jones moved to rescind the referral to formal hearing and accept the signed consent agreement for a Letter of Reprimand and Two Years Probation with Practice Restriction and Civil Penalty. Respondent's practice is restricted in that he is prohibited from prescribing controlled substances until he has completed the required Continuing Medical Education ("CME") and enters into an agreement with a Board-approved monitor to conduct chart reviews. Respondent shall within 6 months of the effective date of this Order obtain no less than 15 hours of Board Staff pre-approved Category I Continuing Medical Education ("CME") in an intensive, in-person/virtual course regarding controlled substance prescribing and no less than 10 hours of Board Staff pre-approved Category I Continuing Medical Education ("CME") in an intensive, in-person/virtual course regarding medical recordkeeping. Within 30 days of completion of the CME, Respondent shall enter into a contract with a Board-approved monitoring company to perform periodic chart reviews at Respondent's expense. The chart reviews shall involve current patients' charts for care rendered after the date Respondent returned to practice as stated herein. Respondent is assessed a \$4000.00 Civil Penalty. The Civil Penalty shall be paid, by certified funds, within 90 days of the effective date of this Order. After three consecutive favorable chart reviews, Respondent may petition the Board to terminate the Probation. Respondent may not request early termination without satisfaction of the chart review requirements as stated in this Order.

SECOND: Dr. Gillard.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones. The following Board members were absent: Dr. Bethancourt and Dr. Farmer.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

CONSENT AGENDA

K. CASES RECOMMENDED FOR DISMISSAL

1. MD-23-0355A, TIMOTHY P. BAKER, M.D., LIC. #20390

MOTION: Dr. Gillard moved to dismiss.

SECOND: Dr. Artz.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones. The following Board members were absent: Dr. Bethancourt and Dr. Farmer.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

L. CASES RECOMMENDED FOR ADVISORY LETTERS

MOTION: Dr. Beyer moved to issue an Advisory Letter in item numbers 1, 8 and 11-17.

SECOND: Ms. Jones.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones. The following Board members were absent: Dr. Bethancourt and Dr. Farmer.

VOTE: 9-yay, 0-nay, 0-abstain, 0 (Dr. Krahn recused from item #12)-recuse, 2-absent.

MOTION PASSED.

1. MD-23-1041A, HOWARD FRANCOIS, M.D., LIC. #41754

RESOLUTION: Advisory Letter for action taken by the Nevada State Board of Medical Examiners. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

2. MD-23-1148A, THOMAS T. CHEN, M.D., LIC. #32325

Counsel Heather Macre addressed the Board on behalf of the physician during the Public Statements portion of the meeting. CFM addressed the Board during the Public Statements portion of the meeting.

Dr. Beyer argued for a dismissal in this case. Dr. Beyer commented that this is a case of a patient with a known papillary carcinoma of the thyroid, who developed a recurrence in the neck that turned out to not be a papillary carcinoma of the thyroid. A biopsy was obtained and was non-diagnostic, and when a biopsy is obtained and is non-diagnostic you either do another biopsy or the patient gets sent for open surgery, which is ultimately what happened. Dr. Beyer argued that even if Dr. Chen had been clairvoyant, and knew that there was a change in histology, the outcome would have been no different. It would have just been known a little bit sooner. Dr. Beyer stated that this is a horrible cancer and there would have been no difference in the outcome. Dr. Beyer opined that Dr. Chen was not responsible for a delay in the care.

MOTION: Dr. Beyer moved to dismiss.

SECOND: Dr. Krahn.

Dr. Krahn agreed that this had a terrible impact on the patient's family but agreed with Dr. Beyer's rationale. Dr. Artz noted that the biopsy was on September 16th, but the referral to the surgical oncologist for surgery was on the 15th of September, so only a few days later the path came back. Dr. Artz opined that the complaint of a two and a half month delay in treatment by was unfounded and the appropriate steps were done by the entire medical team.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Dr. Beyer, Ms. Dorrell, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones. The following Board members were absent: Dr. Bethancourt and Dr. Farmer. The following Board member abstained: Ms. Bain.

VOTE: 8-yay, 0-nay, 1-abstain, 0-recuse, 2-absent.

MOTION PASSED.

3. MD-24-0398A, AMIR HEDAYATI, M.D., LIC. #35134

Counsel Cody Hall addressed the Board on behalf of the physician during the Public Statements portion of the meeting.

Dr. Gillard noted that this was based on a malpractice case for failure to identify Wernicke's encephalopathy on MRI. The MC said very subtle findings, and I think in this case the MC did have the ability to know what the diagnosis was, and was able to look for it on the image. You should be looking at giving thiamine to anybody that has any kind of a question with altered consciousness. Dr. Gillard opined that this is a case of hindsight and even though a malpractice payment was made it should be dismissed.

MOTION: Dr. Gillard moved to dismiss.

SECOND: Dr. Krahn.

Dr. Beyer disagreed with the motion and noted that although it was a subtle finding, it's an important finding. Dr. Beyer opined that when, as a diagnostic radiologist, when they're seeing a MRI of the brain it's important to not only look for what the referring physician put in the history, which in this case was a rule out CBA, but to find other findings that that might be germane. Dr. Beyer opined that this is a finding that is important, and it's incumbent on the diagnostic radiologist to identify that when present. Dr. Beyer opined that an advisory letter is still appropriate.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Ms. Dorrell, Dr. Gillard and Dr. Guerrero-Tucker. The following Board members voted against the motion: Dr. Artz, Ms. Jones, Dr. Beyer and Ms. Bain. The following Board members were absent: Dr. Bethancourt and Dr. Farmer.

VOTE: 5-yay, 4-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

4. MD-24-0571A, JONATHAN E. REITZENSTEIN, M.D., LIC. #72237

Dr. Gillard noted that the physician was reprimanded by the Maryland Board for failure to complete required compact application, and they tried to contact the physician several times. The physician was reprimanded for not changing his address and that's been taken care of. Dr. Gillard noted that there was no patient harm and that this was an internal communication problem. Dr. Gillard opined that this physician has already been reprimanded by Maryland and it has been mitigated by the physician complying with everything.

Ms. Smith noted that the violation is sustained for action taken by another State. The Board typically mirrors the action taken by the other State and in this case SIRC recommended an Advisory Letter.

Dr. Gillard commented that the Board can explain why it has been mitigated and take other action.

MOTION: Dr. Gillard moved to dismiss.

SECOND: Dr. Guerrero-Tucker.

Dr. Beyer disagreed with the motion and opined that had this occurred in Arizona the Board would have issued an Advisory Letter and noted that the physician is required to update his contact information. Ms. Jones noted that the physician was informed four times by the Maryland Board to update his contact information and was given ample opportunity to reply and did not do so.

Ms. Samaradellis confirmed that no other discipline has been taken by other states.

Dr. Figge spoke in favor of the motion since even if this happened here it may have resulted in an Advisory Letter but not discipline.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Ms. Dorrell, Dr. Gillard and Dr. Guerrero-Tucker. The following Board members voted against the motion: Dr. Artz, Ms. Jones, Dr. Beyer and Ms. Bain. The following Board members were absent: Dr. Bethancourt and Dr. Farmer.

VOTE: 5-yay, 4-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

5. MD-23-0950A, RAYMOND R. VALDIVIA, M.D., LIC. #22654

Dr. Gillard commented that in the past the CSPMP has notified the Board of a physician not querying the CSPMP and in this case the physician felt that Tramadol did not require a query. Dr. Krahn spoke in favor of the SIRC recommendation since Tramadol does require a query.

MOTION: Dr. Krahn moved to issue an Advisory Letter for failing to comply with CSPMP mandatory use requirements. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

SECOND: Dr. Artz.

Dr. Artz commented that in the notes the physician stated that they weren't aware that Tramadol, Valium or Xanax required a query. Dr. Artz disagreed and opined that those are very common and if there is any question you look it up. Dr. Artz further noted that she has prescribed 2 of the 3, and you are prompted to fill out a little bit extra as a physician because they are controlled substances.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones. The following Board members were absent: Dr. Bethancourt and Dr. Farmer.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

6. MD-23-0935B, JHA'NAE B. STOFFER, M.D., LIC. #47608

Counsel Cody Hall addressed the Board on behalf of the physician during the Public Statements portion of the meeting. Dr. Figge was recused from this case.

Dr. Beyer noted that this was a case where a number of complaints were made by the complainant and none of them were substantiated. However, there was maybe a blood test ordered and maybe the medical record didn't document that. Dr. Beyer opined that there was clearly an infection and that this was not an unreasonable action.

MOTION: Dr. Beyer moved to dismiss.

SECOND: Dr. Gillard.

Dr. Gillard noted that this was a difficult patient who had multiple complaints, and the doctor had to order multiple tests to address them. Dr. Artz agreed with the motion and noted that the physician is meeting with the patient for the first time and if the physician thinks that the patient could be septic then it needs to be looked at. Dr. Krahn found it ironic that the patient was demanding and wanted more testing, and the MC found that the physician did too many.

VOTE: The following Board members voted in favor of the motion: Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones. The following Board members were absent: Dr. Bethancourt and Dr. Farmer. The following Board member recused: Dr. Figge.

VOTE: 8-yay, 0-nay, 0-abstain, 1-recuse, 2-absent.

MOTION PASSED.

7. MD-22-0950A, RACHEL E. SWART, M.D., LIC. #36169

D.K. and J.B. addressed the Board during the Public Statements portion of the meeting. Dr. Figge was recused from this case. Dr. Artz stated that she knows the physician but that it would not affect her ability to adjudicate the case.

Ms. Jones noted that the husband and daughter addressed the Board, and this was a tragic case where a patient had undergone chemotherapy, had diarrhea and presented to the clinic for IV therapy. The blood pressure continued to drop and the patient had tachycardia which is serious, the physician saw the patient the first day but not the next day, although she was in the clinic. Ms. Jones opined that in a malpractice case the physician is in a defensive position and not open to learning and that CME would be appropriate.

MOTION: Ms. Jones moved to issue an Advisory Letter and Order for Non-Disciplinary CME for inadequate documentation. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee. Within six months, complete no less than 10 hours of Board staff pre-approved Category I CME in an intensive, virtual course regarding medical recordkeeping; complete no less than 5 hours of Board staff pre-approved Category I CME in the management of oncological emergencies. The CME hours shall be in addition to the hours required for license renewal.

SECOND: Dr. Gillard.

Dr. Gillard expressed concern that clearly this patient was in hypovolemic shock and opined that this should be sent back to SIRC for recommended discipline. This patient should have been put in an ambulance and sent directly to the emergency department. Dr. Krahn agreed that this was quite egregious and should be sent back for another MC evaluation. Dr. Gillard stated that this case is full of red flags that should have been addressed.

MOTION WITHDRAWN.

Ms. Smith informed the Board of their options. If the Board feels the MC report is deficient, they can obtain a second review and if they are comfortable with the report but if the Board feels that discipline is appropriate they can offer a disciplinary outcome to the

physician or the physician can come in for a formal interview or formal hearing if they decline the consent agreement.

MOTION: Dr. Gillard moved to offer a consent agreement for a Letter of Reprimand and if not accepted can request an interview with the Board.

SECOND: Ms. Jones.

Dr. Gillard opined that the CME is not needed given the malpractice and the Board's discussion today that the physician has gotten the message. Ms. Jones withdrew her second as the CME is appropriate.

MOTION FAILED DUE TO A LACK OF SECOND.

MOTION: Dr. Gillard moved to offer a consent agreement for Letter of Reprimand and Probation. Within six months, complete no less than 5 hours of Board staff pre-approved Category I CME in the management of shock and complications from chemotherapy. The CME hours shall be in addition to the hours required for license renewal. The Probation shall terminate except upon proof of successful complete of the CME.

SECOND: Ms. Jones.

Dr. Beyer agreed that another MC review is not needed and that this rises to the level of discipline but disagrees with the CME for medical records. Dr. Beyer opined that the CME should be in complications of chemotherapy administration. Dr. Gillard agreed with that modification but wants to include the recognition of shock. Dr. Guerrero-Tucker noted that this was not just the physician herself but the clinic itself. Dr. Gillard requested that this clinic be referred to DHS.

VOTE: The following Board members voted in favor of the motion: Dr. Krahn, Dr. Artz, Dr. Beyer, Ms. Dorrell, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones. The following Board member was recused: Dr. Figge. The following Board members were absent: Dr. Bethancourt, Dr. Farmer and Ms. Bian.

VOTE: 7-yay, 0-nay, 0-abstain, 1-recuse, 3-absent.

MOTION PASSED.

8. MD-23-0849A, DANIEL J. MULLEN, M.D., LIC. #30294

RESOLUTION: Advisory Letter for charging a fee for a service not rendered and for inadequate documentation. While the licensee has demonstrated substantial compliance through rehabilitation or remediation that has mitigated the need for disciplinary action, the board believes that repetition of the activities that led to the investigation may result in further board action against the licensee.

9. THIS CASE HAS BEEN PULLED FROM THE AGENDA.

10. MD-23-1196A, SHEPHERD G. PRYOR, M.D., LIC. #33720

Ms. Jones commented that the patient first saw this patient in January 2021 and got a biopsy. The very next day the physician received the results, which showed cancer. The patient saw the physician five times, and nothing was relayed to the patient of the positive biopsy. When the patient saw another physician in the office, they recommended a biopsy and the patient stated that she had already gotten one. Ms. Jones noted that SIRC found it mitigating that the office was moving to a new EMR but the physician had a duty to inform the patient of the results of the biopsy. The patient put her trust in the physician and he failed her.

MOTION: Dr. Jones moved to issue an Advisory Letter and Order for Non-Disciplinary CME for failing to review and address biopsy results. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee. Within six months, complete no less than 10 hours of Board staff pre-approved Category I CME in an intensive, virtual course regarding medical recordkeeping; and complete no less than 11 hours of Board staff pre-approved Category I CME in an intensive, virtual patient communication

course. The CME hours shall be in addition to the hours required for license renewal.

SECOND: Dr. Gillard.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Gillard, Dr. Guerrero-Tucker, and Ms. Jones. The following Board members were absent: Dr. Bethancourt and Dr. Farmer.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.

MOTION PASSED.

11. MD-23-0265A, DENNIS R. SCRIBNER, JR., M.D., LIC. #43295

RESOLUTION: Advisory Letter for failing to properly perform lysis of intraabdominal adhesions resulting in a bowel perforation. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

12. MD-23-1008A, KOSTAS J. ECONOMOPOULOS, M.D., LIC. #43879

G.L.S. addressed the Board during the Public Statements portion of the meeting. Dr. Krahn recused from this case. Dr. Guerrero-Tucker stated that she knows the physician but that it would not affect her ability to adjudicate the case.

RESOLUTION: Advisory Letter for performing a procedure without clinical justification and for inadequate documentation. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

13. MD-22-0867A, JAMES S. FORAGE, M.D., LIC. #29906

RESOLUTION: Advisory Letter for inadequate documentation. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

14. MD-23-0587A, LIGE M. KAPLAN, M.D., LIC. #57750

RESOLUTION: Advisory Letter for failing to remove a foreign body prior to the closure of surgery. While the licensee has demonstrated substantial compliance through rehabilitation or remediation that has mitigated the need for disciplinary action, the board believes that repetition of the activities that led to the investigation may result in further board action against the licensee.

15. MD-24-0102A, JAY H. DONOHOO II, M.D., LIC. #50627

RESOLUTION: Advisory Letter for failing to identify and report a prevertebral effusion on a CT scan. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

16. MD-24-0302A, ROBERT J. JOHNSTON, M.D., LIC. #59984

RESOLUTION: Advisory Letter for failing to identify and report a malpositioned central venous catheter. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

17. MD-24-1066A, LEXINE M. HEBETS, M.D., LIC. #24414

RESOLUTION: Advisory Letter for failing to timely renew license, practicing on an expired license and for failing to timely update mailing address with the Board. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

M. CASES RECOMMENDED FOR ADVISORY LETTERS WITH NON-DISCIPLINARY CONTINUING MEDICAL EDUCATION ORDERS

MOTION: Dr. Krahn moved to issue an Advisory Letter with Non-Disciplinary CME Orders in item numbers 1, 2, 4 and 7.

SECOND: Ms. Dorrell.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones. The following Board members were absent: Dr. Bethancourt and Dr. Farmer.

VOTE: 9-yay, 0-nay, 0-abstain, 0(Dr. Guerrero-Tucker recused from item #4)-recuse, 2-absent.

MOTION PASSED.

1. MD-24-0066A, LEONARDO C. MENDOZA, M.D., LIC. #35869

RESOLUTION: Advisory Letter and Order for Non-Disciplinary CME for inappropriate supervision of a nurse practitioner. Within six months, complete PBI's Professional Boundaries: Extended Edition (PB-24EX) course. While the licensee has demonstrated substantial compliance through rehabilitation or remediation that has mitigated the need for disciplinary action, the board believes that repetition of the activities that led to the investigation may result in further board action against the licensee. Within thirty days of completing the Board ordered CME, the physician shall enroll into PBI's post-course maintenance and accountability seminars. PBI shall provide an AIR letter to the Board upon completion of the CME coursework. The CME hours shall be in addition to the hours required for license renewal.

2. MD-24-0378A, DIETRICH W. L. SCHULTZE, M.D., LIC. #49979

Counsel Mark Fredenberg addressed the Board on behalf of the physician during the Public Statements portion of the meeting.

RESOLUTION: Advisory Letter and Order for Non-Disciplinary CME for failing to identify and report an epidural hematoma with spinal canal stenosis on a CT scan. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee. Within six months, complete no less than 3 hours of Board staff pre-approved Category I CME in the interpretation of spinal cord CT scans. The CME hours shall be in addition to the hours required for license renewal.

3. MD-23-0757A, MICHELE C. DE VITO, M.D., LIC. # 24464

Counsel Tracy Olson addressed the Board on behalf of the physician during the Public Statements portion of the meeting.

Dr. Beyer agreed with the SIRC recommendation but noted that the physician has already completed the CME.

MOTION: Dr. Beyer moved to issue an Advisory Letter for failing to ensure a sterile environment. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

SECOND: Dr. Artz.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, and Ms. Jones. The following Board members were absent: Dr. Bethancourt and Ms. Bain.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse, 2-absent.
MOTION PASSED.

4. MD-22-0997A, JEFF C. HOEHNER, M.D., LIC. #46508
Dr. Guerrero-Tucker recused from this case.

RESOLUTION: Advisory Letter and Order for Non-Disciplinary CME for failing to timely evaluate and treat an infant diagnosed with perforated appendicitis and inadequate documentation. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee. Within six months, complete no less than 10 hours of Board staff pre-approved Category I CME in an intensive, in-person course regarding medical recordkeeping. The CME hours shall be in addition to the hours required for license renewal.

5. THIS CASE HAS BEEN PULLED FROM THE AGENDA.

6. MD-23-0878A, JOHN A. SORTEBERG, M.D., LIC. #29032
Ms. Jones agreed with the recommendation but opined that the physician made an inappropriate statement to a patient who ended up passing away.

MOTION: Ms. Jones moved to issue an Advisory Letter and Order for Non-Disciplinary CME for signing a patient's signature on a consent form and for failing to maintain accurate medical records. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee. Within six months, complete CPEP's ProBE program. The CME hours shall be in addition to the hours required for license renewal. The licensee shall obtain an unconditional or conditionally passing grade.

SECOND: Dr. Krahn.

Dr. Krahn commented that there is only so much a patient knows and it's not necessarily their fault or can be changed.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker, and Ms. Jones. The following Board member voted against the motion: Ms. Bain. The following Board member was absent: Dr. Bethancourt.

VOTE: 9-yay, 1-nay, 0-abstain, 0-recuse, 1-absent.
MOTION PASSED.

7. MD-23-0694A, AMMAR ALSHEIKH, M.D., LIC. #34235
Dr. Alsheikh and counsel Paul Sheston addressed the Board during the Public Statements portion of the meeting.

RESOLUTION: Advisory Letter and Order for Non-Disciplinary CME for failing to recommend a repeat surveillance colonoscopy and for inadequate documentation. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee. Within six months, complete no less than 5 hours of Board staff pre-approved Category I CME in the management of colorectal disease; and complete no less than 3 hours of Board staff preapproved Category I CME regarding medical recordkeeping. The CME hours shall be in addition to the hours required for license renewal.

N. REVIEW OF EXECUTIVE DIRECTOR DISMISSALS

MOTION: Dr. Beyer moved to uphold the Executive Director Dismissal in item numbers 1, 3-7.

SECOND: Dr. Farmer.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones. The following Board members were absent: Dr. Bethancourt.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

1. MD-23-1254A, BIREN G. PATEL, M.D., LIC. #26753

RESOLUTION: Dismissal upheld.

2. MD-23-1212A, ANDERSON A. BAUER, M.D., LIC. #46060

E.R. addressed the Board during the Public Statements portion of the meeting. Dr. Beyer was recused from this case.

Dr. Gillard expressed concern that decubitus ulcers are a real problem in these settings, but to not really have it addressed surgically is something that should be sent back to have a SIRC reconsider.

MOTION: Dr. Gillard moved to return the case for further investigation.

SECOND: Ms. Jones.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones. The following Board members were absent: Dr. Bethancourt. The following Board member recused: Dr. Beyer.

VOTE: 9-yay, 0-nay, 0-abstain, 1-recuse, 1-absent.

MOTION PASSED.

3. MD-23-0797A, TODD A. KILE, M.D., LIC. #21660

C.H. addressed the Board during the Public Statements portion of the meeting. Dr. Krahn stated that she knows the physician but that it would not affect her ability to adjudicate the case.

RESOLUTION: Dismissal upheld.

4. MD-23-1010A, PAUL R. INGRAHAM, M.D., LIC. #17747

D.S. addressed the Board during the Public Statements portion of the meeting.

RESOLUTION: Dismissal upheld.

5. MD-23-0076A, JOSE A. MENENDEZ, M.D., LIC. #35922

Counsel Cody addressed the Board on behalf of the physician during the Public Statements portion of the meeting.

RESOLUTION: Dismissal upheld.

6. MD-23-1285A, ROBERT M. CERCEK, M.D., LIC. #41492

Counsel Cody Hall addressed the Board on behalf of the physician during the Public Statements portion of the meeting. R.Y. addressed the Board during the Public Statements portion of the meeting.

RESOLUTION: Dismissal upheld.

7. MD-24-0146A, MICHAEL D. MCKEE, M.D., LIC. #53490

RESOLUTION: Dismissal upheld.

O. PROPOSED CONSENT AGREEMENTS (Disciplinary)

1. MD-22-0883A, FIRAS MARAYATI, M.D., LIC. #37014

MOTION: Dr. Gillard moved to accept the consent agreement for a Decree of Censure and Five Year Probation, retroactive to February 29, 2024, for continued participation in the Board's PHP. The Probation shall not terminate except upon affirmative request of the physician and approval by the Board.

SECOND: Dr. Krahn.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones. The following Board members were absent: Dr. Bethancourt.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

P. APPROVAL OF DRAFT FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

MOTION: Dr. Gillard moved to approve the draft Findings of Fact, Conclusions of Law and Order for item numbers 1 and 2.

SECOND: Dr. Guerrero-Tucker.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard and Dr. Guerrero-Tucker. The following Board member was absent: Dr. Bethancourt. The following Board member abstained: Ms. Jones.

VOTE: 9-yay, 0-nay, 1-abstain, 0-recuse, 1-absent.

MOTION PASSED.

1. MD-23-0446A, ISMAEL I. GUERRERO, M.D., LIC. #21545

RESOLUTION: Findings of Fact, Conclusions of Law and Order for a Decree of Censure and Probation with Practice Restriction. Dr. Guerrero shall be prohibited from prescribing controlled substances in any setting for the duration of his licensure in Arizona. In the event that the physician requests Probation termination, the Board may require any combination of examinations and/or evaluations in order to determine whether or not the physician is safe prescribe controlled substances and the Board may continue the Practice Restriction and Probation or take any other action consistent with its authority. The Probation shall not terminate except upon affirmative request of the physician and approval by the Board.

2. MD-21-0984A, MD-22-0694A, WILLIAM J. JACOBSEN, M.D., LIC. #21620

RESOLUTION: Findings of Fact, Conclusions of Law and Order for a Letter of Reprimand and Probation. Within six months, complete no less than 10 hours of Board staff pre-approved Category I CME in an intensive, in-person (virtual) regarding medical recordkeeping; and no less than 6 hours of Board staff pre-approved Category I CME in the treatment of post-operative wound infections. The CME hours shall be in addition to the hours required for license renewal. The Probation shall terminate upon proof of successful completion of the CME coursework.

Q. LICENSE APPLICATIONS

- i. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE OR DENY LICENSE APPLICATION, OR TAKE OTHER ACTION**

MOTION: Dr. Gillard moved to grant the license in item numbers 1, 4, 5, 6, 7 and 9.

SECOND: Dr. Artz.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones. The following Board members were absent: Dr. Bethancourt.

**VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.
MOTION PASSED.**

1. MD-24-0320A, MAURICE B. POTTS, M.D., LIC. # N/A

RESOLUTION: License granted.

2. MD-24-1016A, RICHARD D. REYNOLDS, M.D., LIC. # N/A

Ms. Jones found it concerning that this physician has four malpractice settlements, however recognized that they are older. Ms. Jones inquired about the physician's plans once he is licensed.

Board staff confirmed that staff did not ask that question and explained that this case was sent to the Board since it did not meet the requirements of the substantive policy statement due to the malpractice settlements. Dr. McClain informed the Board of his process and consideration when he reviews these malpractice cases for license applications.

Dr. Gillard inquired if there were any actions taken by other State Boards.

Board staff confirmed that no other actions were taken by other State Boards.

Dr. Figge noted that the physician has one other license in Texas and that these settlements were small and remote. Dr. Beyer agreed that these were remote and over a decade ago and do not appear to be judgements but settlements. Dr. Beyer opined that this physician is appropriate for licensure.

MOTION: DR. Beyer moved to grant the license.

SECOND: Dr. Gillard.

Dr. Guerrero-Tucker inquired about the New Mexico license that expired.

Board staff explained that it appeared to be a training license.

Ms. Jones inquired if the Board does not usually ask about physician's plans.

Board staff explained that typically if a license application has malpractice cases staff does not inquire about their plans but forwards the application for the Board's consideration.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard, Dr. Guerrero-Tucker and Ms. Jones. The following Board members were absent: Dr. Bethancourt. The following Board member abstained: Ms. Bain.

VOTE: 9-yay, 0-nay, 1-abstain, 0-recuse, 1-absent.

MOTION PASSED.

3. MD-24-0705A, ROBERT W. BENSON, M.D., LIC. # N/A

Ms. Jones noted that there are three malpractice cases and he has plans in dermatology. He has an active license in seven states and inquired about how often he plans to be at the clinics. Ms. Jones expressed concern that he's opening these clinics but is not present or overseeing them.

Board staff reported that they do not have information on the physician's clinic stature.

Dr. Gillard noted that all of these cases have been reviewed by multiple State boards and no actions have been taken.

Ms. McSorley confirmed that no disciplinary action has been taken but cannot make the assertion that the malpractice settlements have been reviewed as there is various criteria for review in the different States.

Board staff explained that even if staff inquired about other state actions they may not disclose an investigation or action and that staff relies on the NPDB and FSMB reports.

MOTION: Dr. Gillard moved to grant the license.

SECOND: Dr. Krahn.

Ms. Jones spoke against the motion and expressed concern regarding the physician's plans in Arizona.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Dr. Beyer, Ms. Dorrell, Dr. Gillard and Dr. Guerrero-Tucker. The following Board members voted against the motion: Ms. Jones, Ms. Bain and Dr. Farmer. The following Board member was absent: Dr. Bethancourt.

VOTE: 7-yay, 3-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

4. MD-24-0515A, SEAN C. CHANG, M.D., LIC. # N/A

RESOLUTION: License granted.

5. MD-24-0447A, DONOVAN W. CHRISTIE, M.D., LIC. # N/A

RESOLUTION: License granted.

6. MD-24-0964A, MOHAMMED M. HOQUE, M.D., LIC. # N/A

RESOLUTION: License granted.

7. MD-24-0679A, MICHAEL R. MENACHOF, M.D., LIC. # N/A

RESOLUTION: License granted.

8. MD-24-1133A, PAUL-MARIE BRISSON, M.D., LIC. # N/A

Ms. Jones noted that there have been four malpractice settlements and one pending and inquired about his plans in Arizona.

Board staff confirmed that staff did not ask for that additional information. Board staff stated regarding the pending malpractice case that if the licensee is granted the Board can look into the case once it results in a payment. Dr. McClain commented that a malpractice settlement does not necessarily mean there was a violation of the standard of care.

Dr. Figge noted that the pending case is from care rendered in 2014 and agreed with Dr. McClain that based on the description of what happened it is not very concerning. Ms. Jones stated that she understands that malpractice carriers put pressure on the physician to settle a case that a physician does not want to and that it can drag on for years, but Ms. Jones still expressed concern for the malpractice cases with one pending for the record.

MOTION: Dr. Gillard moved to grant the license.

SECOND: Dr. Krahn.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard and Dr.

Guerrero-Tucker. The following Board member voted against the motion: Ms. Jones. The following Board member was absent: Dr. Bethancourt. The following Board member abstained: Ms. Bain.
VOTE: 9-yay, 1-nay, 0-abstain, 0-recuse, 1-absent.
MOTION PASSED.

9. MD-24-0658A, GINARD I. HENRY, M.D., LIC. # N/A

RESOLUTION: License granted.

ii. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING APPLICANT'S REQUEST FOR WAIVER OF DOCUMENTATION REQUIREMENT**

MOTION: Dr. Gillard moved to grant the waiver request in item numbers 1 and 2.

SECOND: Dr. Beyer.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard and Dr. Guerrero-Tucker. The following Board member was absent: Dr. Bethancourt.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

1. MABLE S. JONES, M.D., LIC. #N/A

RESOLUTION: Waiver and license granted.

2. CURTIS B. SCHWARTZ, M.D., LIC. #N/A

RESOLUTION: Waiver and license granted.

iii. **REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING LICENSE APPLICATION AND RECOMMENDED ADVISORY LETTER**

1. MD-24-1029A, LINDELL Y. COLLINS, M.D., LIC. #N/A

MOTION: Dr. Krahn moved to grant the license by endorsement and issue an Advisory Letter for failing to timely update address, failing to renew license, and for practicing on an expired license. While there is insufficient evidence to support disciplinary action, the board believes that continuation of the activities that led to the investigation may result in further board action against the licensee.

SECOND: Dr. Artz.

Dr. Gillard noted that there was quite a bit of time that the physician practiced on an expired license.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard and Dr. Guerrero-Tucker. The following Board member was absent: Dr. Bethancourt.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

iv. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE OR DENY LICENSE APPLICATION WITH DETERMINATION ON EQUIVALENCY**

1. RAJAA M. ALMESTADY, M.D., LIC. #N/A

Dr. Gillard commented that the physician has passed all three parts of the USMLE and completed a non-accredited fellowship at the Cleveland Clinic for a full year and although it was not an ACGME accredited program does not mean it wasn't a good one. There are two other full programs and the one non-accredited program, in addition to the physician having residency training in Saudi Arabia Dr. Gillard opined

that the Board can grant the license and determine equivalent training to standards in Arizona.

MOTION: Dr. Gillard moved to grant the license and determined equivalent training.

SECOND: Dr. Beyer.

Dr. Figge noted that the physician has numerous active licenses in other states.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard and Dr. Guerrero-Tucker. The following Board member was absent: Dr. Bethancourt.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

*****END OF CONSENT AGENDA*****

OTHER BUSINESS

R. REQUEST FOR TERMINATION OF BOARD ORDER

1. MD-20-0821A, JENNIFER IACOVELLI, M.D., LIC. #36705

Dr. Gillard noted that the physician has completed the required courses with passing grades.

MOTION: Dr. Gillard moved to grant the request for termination of the June 6, 2024 Board Order.

SECOND: Ms. Jones.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard and Dr. Guerrero-Tucker. The following Board member was absent: Dr. Bethancourt.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

2. THIS CASE HAS BEEN PULLED FROM THE AGENDA.

3. MD-23-0303A, MATTHEW J. HUMMEL, M.D., LIC. #27179

Dr. Gillard noted that the physician has completed the requirements, had favorable chart reviews and that the practice restriction was lifted in May.

MOTION: Dr. Gillard moved to grant the request for termination of the March 7, 2024 Board Order.

SECOND: Dr. Krahn.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard and Dr. Guerrero-Tucker. The following Board member was absent: Dr. Bethancourt.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

S. GENERAL CALL TO THE PUBLIC

No individuals addressed the Board during the General Call to the Public.

T. ADJOURNMENT

MOTION: Dr Gillard moved for adjournment.

SECOND: Ms. Jones.

VOTE: The following Board members voted in favor of the motion: Dr. Figge, Dr. Krahn, Dr. Artz, Ms. Bain, Dr. Beyer, Ms. Dorrell, Dr. Farmer, Dr. Gillard and Dr. Guerrero-Tucker. The following Board member was absent: Dr. Bethancourt.

VOTE: 10-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.

MOTION PASSED.

The meeting adjourned at 11:45 a.m.



Patricia E. McSorley

Patricia E. McSorley, Executive Director